

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

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UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

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STATE OF NEW MEXICO, on the relation

The State Engineer,

Case No. 69cv-07941-BB

Plaintiff,

Rio Chama Stream System

v.

Section 1 (mainstream)

ROMAN ARAGON, et al,

Defendants.

CLERK ALBUQUERQUE

Motion petitioning the Court for Documents

Comes now Plebian, pro-se Parciante, david ortiz, Commissioner of the Acequia de Chamita, Don Juan de Onate's Acequia established August 11, 1598, to request Pleadings, Plaintiff Exhibits, Defendants and any other pertinent Documents submitted to the Court in 1996. (Attached list from Doc.9546, 12/16/2006)

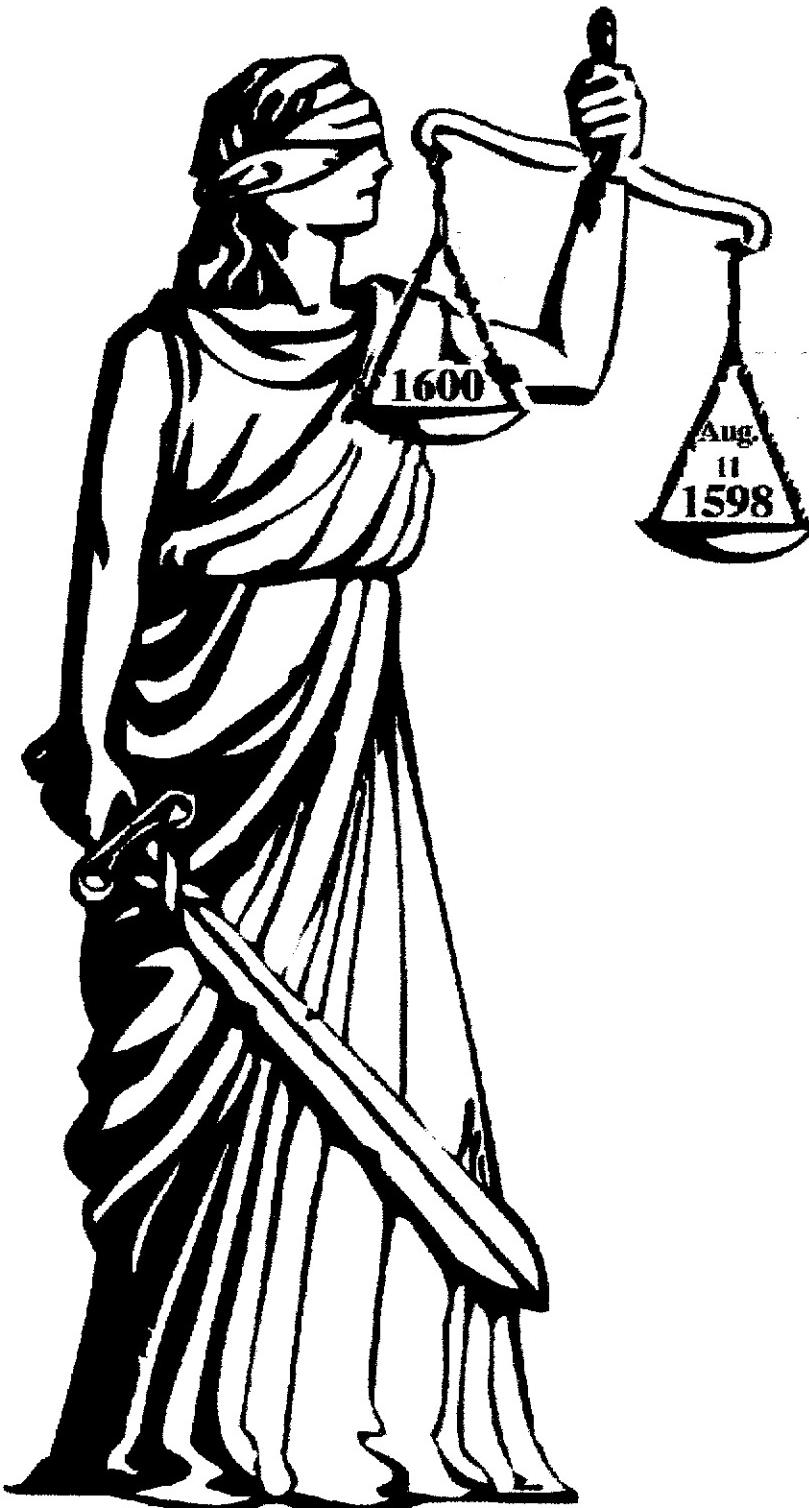
Some have made decisions on the proposed Priority dates without having viewed any and all evidence and exhibits. There is not a shred of doubt as to this Acequia establishment date, now known as the Acequia de Chamita being the one recorded in Don Juan de Onate's journal entry, as found in Hammond/Rey book, Onate, Colonizer of New Mexico.

It is my understanding, being a novice in Court Procedure that I will be

offered the said 1600 date for 3 Acequias. To be fair, balanced and objective, I find I must therefore disprove that 1600 date for the Acequia de Chamita, as an individual. I have in my possession very few of said exhibits, which do not contain any proof of an establishment date of 1600 for this Acequia. Additionally if I could, Please Your Honor, supply me the Notice of Entry & Certificate of Service, Doc.3526, October 12, 1994 of 595 individuals served.

Case:6:69-cv-07941-BB

Respectfully Submitted by Defendant David Ortiz,



David Ortiz
(Signature of Defendant)
David Ortiz, Commissioner/Treasurer

DAVID ORTIZ
(Printed name of Defendant)

PO BOX 1082
(Street address or P.O. Box)

SAN JUAN PUEBLO,
(City, State and Zip Code)
N.M. 87566

Tract 17

Map 22

Subfile 267

APPENDIX I: PLEADINGS

1. Order Adopting Stipulation, and Stipulation Agreed to by Dr. Stanley Hordes and Dr. John Baxter (November 17, 1995, Doc. No. 4380)
3. New Mexico's Requested Findings of Fact and Conclusions of Law on the Priority Dates of Certain Community Acequias (April 3, 1997, Doc. No. 5628)
3. State of New Mexico's Memorandum Brief in Support of its Requested Findings of Fact and Conclusions of Law on the priority Dates of Certain Community Acequias (April 3, 1997, Doc No. 5629)
4. Acequias' Requested Findings of Fact and Conclusions of Law Regarding Priority Dates (April 2, 1997, Doc. No. 5626)
5. Acequias' Brief in Support of Requested Findings of Fact and Conclusions of Law Regarding Priority Dates (April 2, 1997, Doc. No. 5627)

APPENDIX II: EXHIBITS

Note: Exhibits are included with pleadings in the physical docket located at the U.S.D.Ct. Albuquerque

Plaintiff's Exhibits

1. Worcester, Donald E., "The Navajo During the Spanish Regime in New Mexico," *New Mexico Historical Review*, Vol. 26, No. 2
2. Scholes, France V., "Civil Government and Society in New Mexico in the Seventeenth Century," *New Mexico Historical Review*, Vol. 10, No. 2
3. The Memorial of Fray Alonso de Benavides, 1630
4. Maps indicating settlements cited by Granillo
5. Spanish Archives of New Mexico I, No. 882
6. Spanish Archives of New Mexico I, No. 311
7. Spanish Archives of New Mexico I, No. 400
8. Spanish Archives of New Mexico I, No. 293
9. Excerpt from Twitchell, Ralph Emerson, The Spanish Archives of New Mexico Vol. I
10. Excerpt from Court of Private Land Claims, Case No. 194
11. Spanish Archives of New Mexico I, No. 932
12. Spanish Archives of New Mexico I, No. 828
13. Spanish Archives of New Mexico I, No. 823
14. Partial translation, Spanish Archives of New Mexico I, No. 818
15. Baxter, John O., Report: Irrigation in the Chama Valley
16. Spanish Archives of New Mexico I, No. 289
17. Spanish Archives of New Mexico, Borego-Ortega papers
18. Spanish Archives I, No. 413

19. Spanish Archives of New Mexico I, No. 437

Defendant's Exhibits

- A. Stipulation agreed to by Dr. Baxter and Dr. Hordes
- B. Map of the area of the acequias
- C. John Kessell Affidavit
- D. Dictionary definition of "sacar"
- E. Hordes, Stanley, Report: Irrigation at the Confluence of the Rio Grande and Rio Chama: The Acequias de Chamita, Salazar and Hernandez, 1600-1680 (and exhibits contained therein)
- F. Dictionary definition of "hacer"
- G. Dictionary definition of "abrir"
- H. Glorieta Geoscience, Inc. Statement of Qualifications
- I. Glorieta Geoscience Letter Report
- J-1. Topographic map of San Juan Pueblo quadrangle
- J-2. Topographic map of Chili quadrangle
- K. High altitude photograph of area
- L. High altitude photograph of area
- M., N., O. Photographs of field investigations
- P. Hordes, Dr. Stanley M., Curriculum Vitae
- Q. 1602 archival map of New Mexico
- R. Excerpt from Don Juan de Onate, Colonizer of New Mexico, 1595 - 1628, by George P. Hammond and Agapito Rey
- S. Spanish Archives of New Mexico I, 167

T. English translation of No. S, above

U. Bloom, Lansing B., "When was Santa Fe Founded?", in *New Mexico Historical Review*, Vol. 9, 1929

V. Document from the Biblioteca Nacional de Mexico

W. Document from the Biblioteca National de Mexico

X. Dictionary definition of "despoblar"

Y. Dictionary definition of "despoblarse el lugar"

Z. Excerpt from Historical Documents relating to New Mexico, Nueva Vizcaya, and Approaches Thereto, to 1773, collected by Adolph F.A. Bandelet and Fanny R. Bandelet

AA. Adelo, Samuel A., Biographical Information

BB. Hordes Report, p. 14

CC. Dictionary definition of "pacer"

DD. Levine, Dr. Frances, Curriculum Vitae

EE. Levine, Dr. Frances, Report: Local Perspectives: A Case Study from the Rio Chama Water Rights Adjudication, Summer 1996

FF. Temporary Restraining Order, United States v. Manda, No. 735, Equity (May 16, 1921)

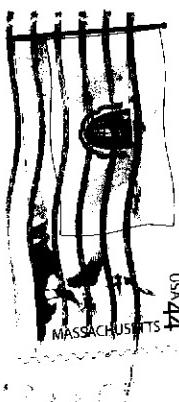
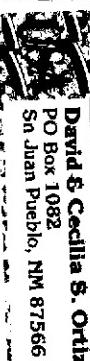
GG. Order of Dismissal, United States v. Manda, No. 735, Equity (June 6, 1932)

HH. Martinez, Elmer, "Salazar, Orients Escaroles," A Heraldic Research Report

Acequia de Chamita

David & Cecilia S. Ortiz
PO Box 1082
San Juan Pueblo, NM 87566

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At Albuquerque NM
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United States District Court Clerk
Matthew J. DYKMAN
333 Komas Blvd Suite 270
Albuquerque, NM 87102

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